

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

DEIDRA LOPEZ,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

HON. KEVIN McNULTY, U.S.D.J.

HON. EDWARD S. KIEL, U.S.M.J.

Civil Action No. 2:20-cv-11639-KM-ESK

**ORDER, FINDINGS OF FACT, AND
CONCLUSIONS OF LAW**

The United States having filed a motion to permanently seal its Statement of Material Facts and exhibits in this case (ECF No. 27), which contain medical records for the Plaintiff and summaries of same, the Court makes the following findings of fact and conclusions of law, pursuant to Local Civil Rule 5.3(c):

1. The Court finds that the Complaint (ECF No. 1) filed in this case raises issues implicating Plaintiff's health as well as healthcare that she received at various facilities in New Jersey.

2. The Court finds that it is necessary for defendant, the United States, to provide available medical records to respond to the Complaint and in support of a dispositive motion that the United States has filed.

3. The Court finds that the medical records at issue contain confidential and private information concerning Plaintiff's health.

4. The Court finds that disclosure of those records to the public, via publication on the Court's docket, is unnecessary and would amount to the

disclosure of confidential information and could injure Plaintiff's interest in keeping such sensitive information private.

5. The Court finds that, because the records and summaries at issue are relevant to this civil action and a pending dispositive motion, a less restrictive alternative to sealing the records is not available.

6. Finally, the Court finds that the briefing of the dispositive motion mentioned above adequately provides for any public interest in the issues of this civil action without further need to reveal Plaintiff's medical records on the public docket.

7. Accordingly, the Court finds that good cause exists to seal the records and summaries at issue under the considerations set forth in *Pansy v. Borough of Stroudsburg*, 23 F.3d 772 (3d Cir. 1994), and Local Civil Rule 5.3(c).

NOW, THEREFORE, on this 13th day of April, 2022, the Court GRANTS the United States' motion to seal and FURTHER ORDERS that the materials found at ECF No. 27 in this civil action be maintained under seal.

SO ORDERED:

/s/ Edward S. Kiel
Edward S. Kiel
United State Magistrate Judge